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PATENT 1.28 C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

09731674

Patent No. : 7,024,200 Confirmation No.: 9323
Issued : 04/04/2006 Customer No. : 23696
Docket No. : 040819CIP1 Applicant : QUALCOMM Incorporated

08/07/2008 DALLEN 00000011 170026 09731674

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740.00 DA
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS
AND PAYMENT OF DEFICIENCY OWED**

Sir:

Pursuant to MPEP §509.03 and 37 C.F.R. §1.27(g)(2), QUALCOMM Incorporated, a large entity, informs the Patent Office that it has acquired by assignment dated 07/30/2004 the entire right, title, and interest in and to this application and the invention that is the subject thereof. Therefore this application no longer qualifies for small entity status. QUALCOMM Incorporated requests the Patent Office to treat this paper as the specific written assertion of the notification of loss of entitlement to small entity status as set forth in MPEP §509.03 (VII). Accordingly, the assignee will be paying large entity fees from this point forward.

In addition, the assignee supplements this notification pursuant to 37 C.F.R. §1.28(c) by submitting herewith an additional fee amount of \$740.00 for the deficiency of payments erroneously paid under the small entity fee schedule, itemized on the following page.

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Depositor's Name:

Angele Hengenroder
(type or print name)

Date:

7/31/08

Document	Small Entity Fee Erroneously Paid/Date	(Current) Large Entity Fee Amount	Deficiency Amount Owed
Issue Fee Payment	\$700.00 on September 19, 2005	\$1,440.00	\$740.00

The delay in notifying the U.S. Patent and Trademark Office of the status change, and not paying the large entity fees, was unintentional and without deceptive intent. The USPTO is hereby authorized to charge Deposit Account 17-0026 for \$740.00 + (any other itemized fees). If any additional fees are required, the Commissioner is authorized to charge Deposit Account 17-0026 for said fees.

Respectfully submitted,

Dated July 31, 2008

Charles D. Brown

Charles D. Brown, Reg. No. 28,285
Attorney for Assignee
Phone No. 858.651.6731

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5787
Facsimile: (858) 658-2502



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/731,674	
	Filing Date	12/06/2000	
	First Named Inventor	Daniel MCKENNA	
	Art Unit	2683	
	Examiner Name	Danh C. LE	
Total Number of Pages in This Submission	4	Attorney Docket Number	040819CIP1

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ENCLOSURES (Check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC	NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund		
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____		
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD		
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Remarks		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	QUALCOMM Incorporated		
Signature	<i>Charles D. Brown</i>		
Printed name	Charles D. Brown		
Date	<i>July 31, 2008</i>	Reg. No.	28,285

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Angela Hergemeder</i>		
Typed or printed name	<i>Angela Hergemeder</i>	Date	<i>7/31/08</i>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Approved for use through 10/31/2007. OMB 0651-0031
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	QUALCOMM Incorporated		
Signature			
Printed name	Charles D. Brown		
Date	July 31, 2008	Reg. No.	28,285

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Signature			
Typed or printed name	Angela Hergenroeder	Date	7/31/08

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PTO/SB/17 (10-07)

Approved for use through 06/30/2010. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2008

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
740.00**Complete if Known**

Application Number	09/731,674	RECEIVED
Filing Date	12/06/2000	
First Named Inventor	Daniel MCKENNA	AUG 08 2008
Examiner Name	Danh C. LE	
Art Unit	2683	OFFICE OF PATENTS
Attorney Docket No.	040819CIP1	

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 17-0026 Deposit Account Name: QUALCOMM Incorporated

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185
Total Claims	Extra Claims	Fee (\$)
- 20 or HP =	x	=
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP =	x	=
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Deficiency amount owed, paid Small Entity fee instead of Large Entity 740.00**SUBMITTED BY**

Signature	<u>Charles D. Brown</u>	Registration No. (Attorney/Agent) 28,285	Telephone 858-651-6731
Name (Print/Type)	Charles D. Brown	Date	<u>July 9, 2008</u>

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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